

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 2 2006

OFFICE OF  
MANAGING DIRECTOR

David G. O'Neil  
Rini Coran, PC  
1615 L Street, NW  
Suite 1325  
Washington, DC 20005

Re: Request for FY 2005 Fee Waiver  
Fee Control No. 00000RROG-05-066

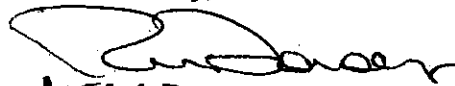
Dear Mr. O'Neil:

Having reviewed the September 7, 2005 Request on behalf of Linda S. Bloom, Trustee for Runnels Broadcasting System, LLC, Debtor in Possession ("Runnels Broadcasting"), we grant your request for a waiver of \$6,525 in regulatory fees due for Fiscal Year 2005.<sup>1</sup>

Based on proof of bankruptcy filed pursuant to Chapter 11 of the Bankruptcy Code of the United States,<sup>2</sup> we find that you established evidence of financial hardship and good cause to warrant granting the requested relief from the Section 9<sup>3</sup> regulatory fees. *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12761-62, ¶¶ 13-14 (1995) (evidence of bankruptcy or receivership is sufficient to establish financial hardship).

Therefore, your request is granted. If you have any questions concerning this letter, you may call the Revenue and Receivables Operation Group at (202) 418-1995.

Sincerely,



Mark Reger  
Chief Financial Officer

<sup>1</sup> See Request at 1. By this letter, we are also granting Runnels Broadcasting's request that we defer the requirement to submit the fees until a decision is rendered on the request for the waiver. *Id.*

<sup>2</sup> Runnels Broadcasting filed at Attachment A of its fee waiver request, copies of the Bankruptcy Petition for Runnels Broadcasting, dated July 16, 2002, United States Bankruptcy Court, District of New Mexico, and the Order appointing Linda S. Bloom as Chapter 11 Trustee, dated December 7, 2004.

<sup>3</sup> 47 U.S.C. § 159.

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**Federal Communications Commission  
Office of Secretary**

Linda S. Bloom, Trustee for Runnels Broadcasting System, LLC, is the successor-in-interest to Runnels Broadcasting. The FCC approved the application for involuntary

assignment of licenses of these stations from Runnels Broadcasting to the Trustee on January 7, 2005 and the parties consummated the transaction on January 10, 2005.<sup>1</sup>

Section 1.1166 of the Commission's rules provides for a waiver of regulatory fees upon a showing of good cause and finding that the public interest will be served. The Commission will grant waivers of its regulatory fees on a sufficient showing of financial hardship, and evidence of bankruptcy or receivership is sufficient to establish financial hardship. *See Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12761-62 (1995) (waivers granted for licensees whose stations are bankrupt, undergoing Chapter 11 reorganization, or in receivership). Good cause exists in this instance to grant the waiver request. Runnels Broadcasting has been in Chapter 11 bankruptcy since July 16, 2002, and most recently the radio stations licensed to Runnels Broadcasting was assigned to the Trustee pursuant to an involuntary assignment and order by a bankruptcy court.<sup>2</sup>

In addition, the Commission has granted requests by Runnels Broadcasting in 2002 and 2003 for waiver of the 2002 and 2003 regulatory fees. *See Letter dated October 30, 2003 from Mark A. Reger; Letter dated November 7, 2002 from Mark A. Reger.*<sup>3</sup> The Commission granted the waivers of the regulatory fees because Runnels Broadcasting made a sufficient showing of financial hardship that Runnels Broadcasting is in Chapter 11 bankruptcy.<sup>4</sup>

The Trustee requests deferral of payment of the regulatory fees for fiscal year 2005, to the extent that such deferral is necessary. The purpose of requesting a deferral

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<sup>1</sup> See BALH-20041221ABO.

<sup>2</sup> A copy of the July 16, 2002 Bankruptcy Petition for Runnels Broadcasting and the December 7, 2004 Order appointing Ms. Bloom as Trustee is attached as Exhibit A.

<sup>3</sup> A copy of the October 30, 2003 letter is attached hereto as Exhibit B.


<sup>4</sup> Specifically, Runnels Broadcasting included a copy of the July 16, 2002 Bankruptcy Petition.

of payment of the regulatory fees is to avoid the imposition of any payment penalties for failure to timely pay the regulatory fees. Given the likelihood of success of this petition, combined with the financial hardship that imposition of the regulatory fees would impose upon the Trustee, the public interest would be served by granting the deferral request at this time.

Accordingly, the Trustee respectfully submits that the Trustee qualifies for waiver of its obligations to pay the 2005 regulatory fees, and that the Commission waive the 2005 regulatory fees.

Respectfully submitted,

**LINDA S. BLOOM, TRUSTEE FOR  
RUNNELS BROADCASTING SYSTEM, LLC**



David G. O'Neil, Esq.  
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(202) 955-3931

September 7, 2005

Its Counsel